

REMARKS

Claims 4-5, 7-19, 26-27, and 29-41 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 3-19, and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

With respect to the Examiner's assertion on page 2, last paragraph, of the Office Action, Claims 4, 5, 7, 9-11, 13-15, 17, and 18 have been amended so as to clarify that the "GMPLS+IP/MPLS node" constitutes the GMPLS network and processes a GMPLS protocol and an IP/MPLS protocol. Support for this amendment can be found, for example, in the last two lines of page 23, second paragraph, of the specification.

With respect to the Examiner's assertion on page 3, first paragraph, of the Office Action, claim 1 has been cancelled, thereby rendering the rejection moot as to this claim. None of the allowed claims previously dependent upon claim 1 include the phrase "LSC".

Since Claim 4 includes the phrase "Packet Switch Capable", Claim 4 has been amended so as to clarify that "Packet Switch Capable" is a capability, as is known in the art (see, for example, page 53, left column, last paragraph of Okamoto, which is cited in the Office Action).

Since Claims 5, 26, and 27 include the phrase "PSC-LSP", these claims have been amended so as to clarify that "PSC-LSP" is an abbreviation of "Packet Switch Capability-Label Switch Path" as recited in amended Claim 4.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3, 6, 20-22, 25, 28, 42, and 43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen et al. (U.S. Pub. No. 2004/0228331; "Hansen") in view of Okamoto (IEEE; "Okamoto"). This rejection is respectfully traversed.

Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen in view of Okamoto in view of Heiner et al. (U.S. Pub. No. 2004/0203827; "Heiner"). This rejection is respectfully traversed.

All the rejected claims have been cancelled without prejudice or disclaimer, thereby rendering the rejection moot.

ALLOWABLE SUBJECT MATTER

Applicant acknowledges that the Examiner has allowed claims 4, 5, 7-19, 26, 27, and 29-41. The dependencies of Claims 8 and 30 have been amended as a result of the cancellation of Claims 6 and 28.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is

believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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